

I. AMENDMENTS

Please amend the subject application as follows:

In the claims:

Cancel claims 1, 22, 23, 36-41, 43, 44, 46, 47 and 50-55, without prejudice or disclaimer.

Please add new claimed 56 and 57.

⁴56. (New) A composition comprising the purified protein of claim ³45 and an acceptable carrier.

57. (New) A pharmaceutical composition comprising the purified protein of claim 45 and a pharmaceutically acceptable carrier.

II. REMARKS

Claims 1, 22, 23 and 36-55 are pending in the subject application. Claims 42, 45 and 48 are deemed allowable. Claims 1, 22, 23, 36-41, 43, 44, 46, 47, and 49-55 stand rejected. By this Amendment, claims 1, 22, 23, 36-41, 43, 44, 46, 47 and 50-55, have been canceled without prejudice or disclaimer. Applicant respectfully reserves his right to file one or more continuation applications to pursue claims of the same or similar scope. Claims 56 and 57 have been added. Accordingly, claims 42, 45, 48, 56 and 57 are presently under examination.

The rejections of claims 1, 22, 23, 36-41, 43, 44, 46, 47 and 50-55, have been obviated by cancellation of the claims. Claim 49 stand rejected under 35 U.S.C. § 112, second paragraph on the ground the specification does not indicate a utility. Applicant traverses and directs the Office's attention to page 9, line 19 to page 10, line 23 and pages 28 to 29. These pages set forth

the utility for the pharmaceutical composition. These pages also support for new claims 56 and 57. In view of the above, removal of this rejection as applied against claim 49 is respectfully requested.


III. CONCLUSION

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 203442102501. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: December 30, 1998

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